

IN THE CLAIMS

Please amend the claims as follows in accordance with the Format of Amendments under 37 C.F.R. § 173(b) (2).

Please cancel claim 2.

1.(Amended) A load cell apparatus comprising:

- a. a frame;
- b. [an upper] at least one compliance assembly connected to said frame wherein said at least one compliance assembly further comprises a first base and a second base, a compression pad connected to said first base or said second base, a rebound pad, a load plate between said rebound pad and said compression pad, and said second base connected to said rebound pad or said compression pad; and
- c. a load cell connected to said [upper] at least one compliance assembly [; and] .
- [d. a lower compliance assembly connected to said load cell.]

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13 **STATUS OF CLAIMS AND STATEMENT OF SUPPORT**

14 In accordance with 37 C.F.R. 1.173(c) the Applicant hereby submits the
15 Status of the Claims after the amendment set forth herein and its Statement of
16 Support under 37 C.F.R. 1.173(c) for the above amendments.

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18 **STATUS OF THE CLAIMS**

19 Claim 2 has been cancelled.

20 Claim 1, as amended, and claims 3-20 as originally allowed remain
21 pending in this Reissue Application.

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23 **STATEMENT OF SUPPORT FOR THE AMENDMENT TO INDEPENDENT CLAIM**

24 **1.**

25 Independent claim 1 has been amended to include the limitations of
26 original dependent claim 2. Further, independent claim 1 has been amended to
27 delete the requirement of "an upper and a lower compliance assembly" as was
28 originally allowed. As now presented in this Reissue application, independent
29 claim 1 requires "at least one compliance assembly" and the at least one
30 compliance assembly includes the limitations as originally allowed in dependent
31 claim 2.

32 In the Examiner's "Reasons for Allowance, page 2 of the Notice of
33 Allowability dated May 29, 2001, the examiner stated that " the closest prior
34 art Le Fevre, Jr. (US patent No.2,616,683) shows an upper compliance
35 assembly (4) attached to the top of a load cell, and an overload stop (13) on
36 the bottom, but no lower compliance assembly; there is no teaching in the art
37 of record to place a compliance assembly on both the top and bottom of the
38 load cell."

39 Le Fevre Jr. does disclose a compliance assembly in general as the
40 Examiner pointed out. That compliance assembly consists of a Belleville spring
41 (4) supported between a collar (12) and a ledge (23). (See column 3, lines 56-
42 67). Such springs are well known and Applicant discussed the advantages of

43 Applicant's compliance assembly over such Belville springs at Column 5, lines
44 63- 66 of Applicant's patent. However, nothing in Le Fevere Jr., or any of the
45 prior art of which Applicant herein is aware, discloses or suggests a compliance
46 assembly comprised, as required in amended independent claim 1, of a first
47 base and a second base, a compression pad connected to said first base or said
48 second base, a rebound pad, a load plate between said rebound pad and said
49 compression pad, and said second base connected to said rebound pad or said
50 compression pad. The support for these limitations is found throughout the
51 Applicant's patent as issued at, for example, Column 2, lines 23-65 and in
52 Figures 1-3 and in original dependent claim 2.

53 Further, as now presented, independent claim 1 requires "at least one
54 compliance assembly" as so limited and does away with the requirement of "an
55 upper and a lower compliance assembly". Support for this limitation is found,
56 for example, in Figures 2 and 3 wherein only a single such compliance
57 assembly is shown and each of the figures shows "at least one compliance
58 assembly" as now more particularly claimed in independent claim 1. Further,
59 the patent advises that the compliance assemblies operate in substantially the
60 same manner to shield the load cell from compression and rebound loads simply
61 depending on which end of the load cell it is placed. (Column 4, lines 51-67
62 and column 5, lines 1-14). Still further, the advantages of Applicant's
63 compliance assembly as claimed is set forth throughout the patent as, for
64 example, at column 5, lines 50-65.

65 Applicant respectfully submits that independent claim 1 as originally
66 allowed was too narrow in requiring two of Applicant's compliance assemblies
67 and that independent claim 1 as now presented is allowable for the reason that
68 the prior art does not teach or suggest Applicant's at least one compliance
69 assembly as previously allowed as set forth in dependent claim 2, now
70 cancelled, but the limitations of which are now included in independent claim 1.